

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

IFEOMA EZEKWO,

Plaintiff,

v.

CALIBER HOME LOANS, INC.,

Defendant.

Civil Action No. 20-16187 (SDW) (LDW)

WHEREAS OPINION

July 19, 2021

THIS MATTER having come before this Court upon *pro se* Plaintiff Ifeoma Ezekwo's ("Plaintiff") filing of a document titled "Motion [t]o Halt Proceedings Pending Legal Irregularities Review and [I]nvestigation [a]nd Keep Cases [o]n Trial Calendar," (D.E. 25 ("Motion to Halt Proceedings")),¹ requesting, *inter alia*, to proceed with her claims against Defendant Caliber Home Loans, Inc. ("Defendant"); and

WHEREAS on June 11, 2021, this Court issued an Opinion and Order granting Defendant's Motion to Dismiss Plaintiff's Complaint with prejudice. (D.E. 23, 24.) Plaintiff filed a notice of appeal as to the Opinion and Order on June 23, 2021, (D.E. 26), and that appeal is pending before the United States Court of Appeals for the Third Circuit, No. 21-2250; and

WHEREAS "[t]he filing of a notice of appeal is an event of jurisdictional significance—it confers jurisdiction on the court of appeals and divests the district court of its control over those aspects of the case involved in the appeal." *United States v. Santarelli*, 929 F.3d 95, 106 (3d Cir. 2019) (quoting *Griggs v. Provident Consumer Disc. Co.*, 459 U.S. 56, 58 (1982)); and

¹ Plaintiff filed her Motion to Halt Proceedings on June 21, 2021. (D.E. 25.) Defendant subsequently filed a letter brief in opposition and Plaintiff filed a reply. (D.E. 28, 30.)

WHEREAS Plaintiff's Motion to Halt Proceedings is plainly an attack on the final order that this Court entered on June 11, 2021, and reasserts the same claims that this Court dismissed with prejudice; therefore,

Plaintiff's Motion to Halt Proceedings will be **DENIED** for lack of jurisdiction.² An appropriate order follows.

/s/ Susan D. Wigenton
SUSAN D. WIGENTON, U.S.D.J.

Orig: Clerk
cc: Parties
Leda D. Wettre, U.S.M.J.

² Even if Plaintiff's appeal did not divest this Court of jurisdiction, this Court would deny her Motion to Halt Proceedings as procedurally improper because no such motion is provided for by the Federal Rules of Civil Procedure or the Local Civil Rules.